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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DIANA VEGA ZAMUDIO, an individual,

Plaintiff,

vs.

AEROTEK, INC., a Maryland Corporation;
CATERPILLAR INC., a Delaware
Corporation; and DOES 1 through 50,
inclusive,

Defendant.

Case No.: 1:21-cv-01673-NONE-JLT

**STIPULATION AND [PROPOSED]
ORDER TO ADJUST BRIEFING
DEADLINES FOR PLAINTIFF'S
MOTION TO REMAND**

Hearing Date: None, per ECF No. 5

STIPULATION TO ADJUST BRIEFING DEADLINES

FOR PLAINTIFF'S MOTION TO REMAND

Pursuant to Local Rules 143 and 144, Plaintiff Diana Vega Zamudio ("Plaintiff") and Defendant Caterpillar Inc. ("Caterpillar"), by and through their respective counsel of record, respectfully submit this stipulation and request for an adjusted briefing schedule on Plaintiff's Motion to Remand.

Following removal of this case by Caterpillar (with the consent of codefendant Aerotek, Inc.) on November 18, 2021 (ECF No. 1), Plaintiff filed a Motion to Remand on December 17, 2021 (ECF No. 4). In connection with that motion, Plaintiff set a January 18, 2022 hearing date (which is still in place solely for purposes of the briefing deadlines, per ECF No. 5). Accordingly, pursuant to Local Rule 230(c), Defendants' opposition(s) to the motion to remand presently is due on or before January 4, 2022. However, Caterpillar's lead counsel has been on a previously-scheduled vacation between December 23 and January 3. In light of that vacation and the intervening holidays, Caterpillar needs additional time to prepare and file its response to the Motion to Remand. Accordingly, Caterpillar requested, and Plaintiff has agreed, to a 14-day extension of time to respond to the Motion to Remand, subject to this Court's approval under Local Rule 144(a).

On December 21, 2021, Caterpillar requested of Plaintiff's counsel that the parties agree to reschedule the hearing date (for purposes of briefing deadlines) by 14 days, i.e., to February 1, 2022, to account for Caterpillar's counsel's vacation. Under the proposed revised schedule, Defendants' response(s) to the motion to remand will be due on January 18, 2022. Plaintiff's Reply Brief will be due on January 25, 2022. On December 23, 2021, Plaintiff agreed to so stipulate.

This is the parties' first request to adjust the briefing deadlines on Plaintiff's motion to remand.

1 NOW, THEREFORE, the parties, by and through their respective counsel of record
2 undersigned, stipulate to and request that the Court enter an order:

- 3 1) setting February 1, 2022 as the new hearing date on the Motion to Remand, solely for
4 purposes of establishing the briefing deadlines under Local Rule 230, or, in the
5 alternative:
6 2) setting January 18, 2022 as Defendants' deadline to respond to Plaintiff's Motion to
7 Remand;
8 3) setting January 25, 2022 as Plaintiff's deadline to file Reply Brief in support of
9 Plaintiff's Motion to Remand.

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11 **IT IS SO STIPULATED.**

12 Dated: December 29, 2021

Respectfully submitted,

13 MAYER BROWN

14 By: /s/ Andrew S. Rosenman
15 Andrew S. Rosenman

16 *Attorneys for Defendant*
CATERPILLAR INC.

17 Dated: December 29, 2021

Respectfully submitted,

18
19 By: /s/ Edwin Pairavi (as authorized on
20 12/29/2021)

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26 DIANA VEGA ZAMUDIO

Dated: December 29, 2021

Respectfully submitted,

By: /s/ Michael S. Kun (as authorized on
12/28/2021)

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Attorneys for Defendant
AEROTEK, INC.

ORDER

The above stipulated changes to the briefing schedule are approved.

IT IS SO ORDERED.

Dated: **January 4, 2022**


UNITED STATES DISTRICT JUDGE